

REMARKS

In the December 16, 2004 Office Action, the drawings and specification were objected to and claims 1-19 and 22-28 stand rejected in view of prior art, while claims 20 and 21 were indicated as containing allowable subject matter. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the December 16, 2004 Office Action, Applicants have amended the claims as indicated above. Applicants wish to thank the Examiner for the indication of allowable subject matter and the thorough examination of this application. Thus, claims 1-3, 5-12, 14-24 and 26-28 are pending, with claims 4, 13 and 15 cancelled and claims 1, 10, 20, 21, 23 and 28 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Specification

Upon review, it was noticed that the translation of the original PCT application contained errors. In response to the December 16, 2004 Office Action, Applicants have amended the specification to correct errors that occur in the translation of the original PCT application. Since the PCT application is the originally filed application in the U.S. national stage, no new matter is being added. A substitute specification is filed with this response.

Applicants believe that the specification is now correct and complies with 37 CFR §1.71 and 37 CFR 1.125(b).

Rejections - 35 U.S.C. § 102

In paragraph 2 of the Office Action, claims 1-5, 7-14, 17, 22-25 and 28 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,653,045 (Ferrell). In

response, Applicants have amended independent claims 1, 10, 23 and 28 to clearly define the present invention over the prior art of record.

In particular, independent claims 1, 10, 23 and 28 recite, *inter alia*, a supplying step, supplying means or supplying section to supply an inert gas into a processing vessel *during exhausting* of the cleaning fluid from the processing vessel. This structure is *not* disclosed or suggested by Ferrell or any other prior art of record. It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each and every element of the claim within the reference.

Ferrell discloses a process in which “[a]fter the de-ionized water has been completely drained from drying chamber 602, hot nitrogen is introduced into drying chamber volume 603, in step 720, to remove any remaining IPA film.” Column 11, lines 9-12 of Ferrell.

In contrast, independent claims 1, 10, 23 and 28 state that inert gas is supplied into the processing vessel *during exhausting* of the cleaning fluid from the processing vessel. Ferrell teaches the introduction of hot nitrogen to remove any remaining IPA *after* the de-ionized water has been completely drained. Accordingly, Ferrell does not disclose introducing an inert gas *during exhausting* of the cleaning fluid. Therefore, Applicants respectfully submit that claims 1, 10, 23 and 28, as now amended, is not anticipated by the prior art of record. Withdrawal of this rejection is respectfully requested.

Moreover, Applicants believe that dependent claims 2, 3, 5, 7-9, 11, 12, 14, 17, 22 and 24 are also allowable over the prior art of record in that they depend from independent claims 1, 10 and 23, and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicants believe that since the prior art of record does not anticipate independent claims 1, 10 and 23, neither does the prior art anticipate the dependent claims.

Applicants respectfully request withdrawal of the rejections.

Rejections - 35 U.S.C. § 103

In paragraph 5 of the Office Action, claims 6, 15, 16, 18, 19, 26 and 27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ferrell in view of U.S. Patent No. 6,216,709 (Fung et al), U.S. Patent No. 6,152,153 (Takase et al) or U.S. Patent No. 6,247,479 (Taniyama et al).

Applicants believe that dependent claims 6, 15, 16, 18, 19, 26 and 27 are also allowable over the prior art of record in that they depend from independent claims 1, 10 and 23, and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicants believe that since the prior art of record does not disclose or suggest the invention as set forth in independent claims 1, 10 and 23, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claims.

Therefore, Applicants respectfully request that this rejection be withdrawn in view of the above comments and amendments.

Allowable Subject Matter

In paragraph 11 of the Office Action, claims 20 and 21 were indicated as containing allowable subject matter. Applicants wish to thank the Examiner for this indication of allowable subject matter and the thorough examination of this application. In response, Applicants have amended claims 20 and 21 to place them in independent form. Thus, independent claims 20 and 21 are believed to be allowable.

Prior Art Citation


In the Office Action, additional prior art references were made of record. Applicants believe that these references do not render the claimed invention obvious.

Appl. No. 09/936,618
Amendment dated June 15, 2005
Reply to Office Action of December 16, 2004

Conclusion

In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1-3, 5-12, 14-24 and 26-28 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,


David J. McCrosky
Reg. No. 56,232

SHINJYU GLOBAL IP COUNSELORS, LLP
1233 Twentieth Street, NW, Suite 700
Washington, DC 20036
(202)-293-0444

Dated: June 15, 2005

G:\06-JUN05-KK\DK-US035114 AMDT.doc